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30 SHAWN MYERS and SARAH MYERS

31 UNITED STATES DISTRICT COURT

32 NORTHERN DISTRICT OF CALIFORNIA

33 JAMAL JACKSON; JANNIE MENDEZ,

34 Case No. C08-1916 MEJ

35 Plaintiffs,

36 vs.
37 **AMENDED STIPULATION AND
[PROPOSED] ORDER TO EXTEND
DISCOVERY, EXPERT DISCLOSURE
AND DISPOSITIVE MOTION
DEADLINES**

38 CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation;
HEATHER FONG, in her capacity as
Chief of Police for the CITY AND

39 Trial Date: None Set

40 AMENDED STIP. PRO. RESCHEDULING EXPERT
41 DISCLOSURE AND DISCOVERY CUT-OFF DATES;
42 CASE NOS. C08-1916 MEJ ; C08-01163 MEJ

1 COUNTY OF SAN FRANCISCO; JESSE
2 SERNA, individually, and in his capacity
3 as a police officers for the CITY AND
4 COUNTY OF SAN FRANCISCO; GARY
5 MORIYAMA, individually and in his
capacity as a police officer for the CITY
6 AND COUNTY OF SAN FRANCISCO;
7 and San Francisco police officers and
8 employees DOES 1 through 50, inclusive,

9
10 Defendants.

11 SHAWN MYERS and SARAH MYERS,

12 Plaintiffs,

13 vs.

14 CITY AND COUNTY OF SAN
15 FRANCISCO, a municipal corporation;
16 HEATHER FONG, in her capacity as
17 Chief of Police for the CITY AND
18 COUNTY OF SAN FRANCISCO; JESSE
19 SERNA, individually, and in his capacity
20 as a police officer for the CITY AND
COUNTY OF SAN FRANCISCO; GARY
MORIYAMA, individually and in his
capacity as a police officer for the CITY
AND COUNTY OF SAN FRANCISCO;
and San Francisco police officers and
employees, DOES 1 through 50, inclusive,

Defendants.

Case No. C08-01163 MEJ

Trial Date: Not set

18 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request
19 modification of this Court's Orders concerning and setting dates for discovery cut-offs in the above-
20 captioned matters.

21 The parties make this request based on the following circumstances:

22 1. The parties filed a Stipulation and Proposed Order ("March 22 Stipulation") with the
23 Court on March 22, 2010. The March 22, 2010 Stipulation requests that that the Court amend its
24 Scheduling Order as follows:

25 • June 25, 2010: Last day for expert witness disclosures
26 • July 9, 2010: Rebuttal expert witness disclosure
27 • July 23, 2010: Close of fact and expert discovery

1 • August 19, 2010: Last day to file dispositive motions
2 • 10 a.m., September 23, 2010: Dispositive Motion Hearing

3 3. The parties erroneously attached an earlier draft of the Proposed Order to the March 22
4 Stipulation, which contained different dates than those dates stipulated by the parties.

5 4. On March 23, 2010, the Court signed the Proposed Order that contains the
6 erroneously-submitted dates described below. That Proposed Order differs from the March 22
7 Stipulation as follows. It moves expert disclosure to April 26, 2010 rather than June 25, 2010, moves
8 the date for close of discovery to May 12, 2010 rather than July 23, 2010 and does not address the
9 dates for dispositive motions or expert rebuttal.

10 For the aforementioned reasons, the parties jointly request that the Court sign the attached
11 amended Proposed Order, which conforms with the parties' March 22, 2010 stipulation. Consistent
12 with the parties' March 22 Stipulation, the parties request that the Court amend its Scheduling Order
13 as follows:

14 • June 25, 2010: Last day for expert witness disclosures
15 • July 9, 2010: Rebuttal expert witness disclosure
16 • July 23, 2010: Close of fact and expert discovery
17 • August 19, 2010: Last day to file dispositive motions
18 • 10 a.m., September 23, 2010: Dispositive Motion Hearing

19 **IT IS SO STIPULATED.**

20 Dated: March 25, 2010

21 DENNIS J. HERRERA
22 City Attorney
23 JOANNE HOEPER
24 Chief Trial Deputy
25 SEAN F. CONNOLLY
26 WARREN METLITZKY
27 Deputy City Attorneys

28 By: /s/ Warren Metlitzky
29 WARREN METLITZKY
30 Deputy City Attorney
31 Attorneys for Defendants CITY AND COUNTY OF
32 SAN FRANCISCO, et al.

1 Dated: March 25, 2010

LAW OFFICES OF CHEASTY & CHEASTY

2 By: /s/ Robert C. Cheasty
3 ROBERT C. CHEASTY

4 Attorneys for Plaintiffs JAMAL JACKSON and
5 JANNIE MENDEZ

6 **Pursuant to General Order 45, §X.B., the filer of this
7 document attests that s/he has received the concurrence
8 of this signatory to file this document.

9 Dated: March 25, 2010

10 FREITAS MCCARTHY MACMAHON
11 & KEATING LLP

12 By: /s/ Matthew C. Mani
13 MATTHEW C. MANI

14 Attorneys for Plaintiffs SHAWN MYERS and SARAH
15 MYERS

16 **Pursuant to General Order 45, §X.B., the filer of this
17 document attests that s/he has received the concurrence
18 of this signatory to file this document.

ORDER

Based on the above stipulation and the March 22, 2010 Stipulation of all parties, and for good cause appearing, IT IS ORDERED that the Court's Scheduling Order be amended as follows:

- June 25, 2010: Last day for expert witness disclosures
- July 9, 2010: Rebuttal expert witness disclosure
- July 23, 2010: Close of fact and expert discovery
- August 19, 2010: Last day to file dispositive motions
- 10 a.m., September 23, 2010: Dispositive Motion Hearing

Dated: March 26, 2010

THE HONORABLE MARIA-ELENA JAMES